

**THE COMMON COUNCIL OF THE CITY OF NEW ALBANY,  
INDIANA HELD A MEETING IN THE CITY/COUNTY BUILDING  
ON THURSDAY, JULY 20, 2006.**

The meeting of the **New Albany City Council** was called to order by President Jeff Gahan at 7:30pm. The meeting opened with the Lord's Prayer and the Pledge of Allegiance.

**MEMBERS PRESENT:** Council Members Mr. Coffey, Mr. Schmidt, Mr. Price, Mr. Kochert, Mrs. Crump, Mr. Blevins, Mr. Messer, Mr. Seabrook, and President Jeff Gahan.

**OTHERS:** City Attorney Shane Gibson and City Clerk Marcey Wisman.

**ALSO:** John Rosenbarger, Adam Dickey, Scott Wood, Planning and Zoning, Brian Dixon, EMC, Paul Wheatley, Economic Development Director, Tony Toran, Director of City Operations and Mayor James E. Garner, Sr.

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mr. Price moved to approve the minutes of June 15, Mr. Coffey second, all voted in favor**

**Mrs. Crump moved to approve the minutes of July 3, Mr. Messer second, all voted in favor except Mr. Blevins who abstained due to not being present at the July 3 meeting.**

**Mr. Coffey moved to approve the minutes of the July 3 public hearing, Mrs. Crump second, all voted in favor.**

**Mr. Coffey motioned to move the CF-1's forward on the agenda, Mr. Schmidt second, all voted in favor.**

**APPROVAL OF CF-1 FORMS:**

Lukemeier Industrial Mold & Machine, Compliance  
with Statement Of Benefits, Referencing R-00-32

**Mr. Seabrook moved to approve, Mr. Coffey second, all voted in favor.**

**COMMUNICATIONS – PUBLIC:**

**James Carter**, local #4703 Communication Workers, spoke on behalf of the communication workers and asked that council for help to reach an agreement on their contract with the city. He gave a statement regarding their hard work and dedication to the citizens of the City. He also spoke of the deficiency in their wage, and the negotiations they have had thus far with the Mayor.

**Michael Euton**, local 4703 Communication Workers, echoed what was said by Mr. Carter. He also stated that they are not asking for their raise until next year because he knows it is difficult to get it approved in the middle of a calendar year.

**Jeff LaFlesh**, Union Steward for local #4703, spoke in favor of the communication workers.

**Jason Hampton**, local #4703 Communication Workers, reiterated what had already been said and asked for a raise.

**Cathy Wicke**, Local #4703 Communication Workers, urged them for equality with the other union workers in the city and bring them above the poverty level. She also spoke of the dangers involved with their job.

**Mickie Thompson**, AFSCME Local #8461, addressed the problem within the street department regarding the trash that is not being picked up. He stated that they fought for a very long time against the privatization of the sanitation department and now the trash is in the news. He stated that they do not have the man-power to pick up what the sanitation does not pick up. He would like for some of the Jail Bond money be put in the street department so that they can do the job that needs to be done.

**Mr. Coffey** asked if temporary workers were not usually hired in the summer.

**Mr. Thompson** stated that no one has been hired for the street department.

**James Wiggins** spoke against the take home cars for the police office.

**John Mattingly**, 511 Lindover Road, spoke about the sewer problems; specifically the over-flows that continue to be a problem. He had several questions regarding whether the new increase will fix the problems that still exist and whether that will satisfy the EPA. He stated that he suggested a combined system to save money years ago.

**There was a lengthy discussion regarding whether or not a combined system is an acceptable system or not and the contract with EMC.**

**Valla Ann Bolovshak**, presented her letter to the council offering her services on the Storm Water Board.

**Mr. Gahan** asked her to get a resume to the Clerk.

**Ms. Bolovshak** then spoke at length on the services of EMC and what it is costing the city of New Albany. She questioned the following issues:

1. EMC/BOC is using the City's cars, trucks, gasoline, people, and chemicals.
2. EMC/BOC is having pizza parties and Logan's Steak lunches on the city.
3. EMC/BOC is giving bonuses using city money.
4. EMC/BOC rented a lift for \$800 per day and never used it
5. The City paid \$106,000 twice for a truck that was never used.
6. EMC/BOC purchased two golf carts for \$4500 with trade ins from the city with city money.
7. EMC/BOC planted trees along the fence for \$4900 with city money
8. The sewer utility purchased three trucks; one being driven by the mayor.
9. The Sewer utility purchased Durango floor mats for \$749.55
10. EMC/BOC is spending "Gaboons" more money on Safety than they did before.
11. 60% of the initial \$22,000,000 was spent on lawyers and engineers; should have only been 15%.
12. New plant is already showing failure; the tank floors had to be replaced
13. We should have all new lines, plant and infrastructure for \$84,000,000
14. We have 6" lines running into 4" lines all over the city.
15. There are shut off valves still being used on Daisy Lane and Green Valley
16. EMC now has maids cleaning the plant.
17. During the last rain there were manholes popping off all over the city.
18. Why are there 30 checking accounts for the sewers
19. There is money budgeted for 30 employees and we only have 13 employees; where is that extra money going.
20. EMC alleged sabotage for the over-flow behind Hampton Inn but it is still overflowing.

**Warren Nash**, 201 Ellen Court, spoke against Z-06-18 for Sprigler Contracting and read a letter from a Mr. Keith Foster who is also against this development. Mr. Foster's letter is on record in the City Clerk's office.

**COMMUNICATIONS – CITY OFFICIALS:**

**Mr. Blevins** addressed the council regarding the CWA Workers call for equal raises. He stated he believes that if 4 or 5 police department take off no one will know it but if 4 or 5 of the street department workers take off everyone in the city knows it. He told them that the Street Dept. workers are out there regardless of the weather. He stated that he is asking tonight for them to put almost \$800,000 of the \$3.3M Jail bond money into the street department but Mr. Kochert wants it all to go into the sewer system.

**Mrs. Crump** added that she believes that a lot of people throughout the city believe that they can throw out their large items for free.

**There was a lengthy discussion regarding the pick up of large items and fees that are on the books for the pick up of large items and the mismanagement of the funds in the street, sanitation departments and EMC.**

**Mr. Seabrook** stated that he does not know why they would move forward tonight on money issues before the budget meetings.

**Mr. Coffey** stated that he feels that they do not always get all the information that they need.

**Mr. Messer** asked why we have to hand out the money now rather than leaving it in the bank and collect interest and make money with our money.

**Mr. Blevins** stated that in the meantime the street department still does not have money.

**Mr. Kochert** corrected Ms. Bolovshak regarding the \$102,000 trucks. He explained that the city paid for it once and when they discovered that they did not need it EMC bought the truck from the city at total cost.

**Mrs. Garry** explained that the Waste Water employees are EMC employees not city employees. She also explained that there are not 30 bank accounts. She explained that the City has a total of 17 bank accounts and went over what each one was for.

**There was a lengthy discussion regarding the Street department and Sanitation department**

**John Rosenbarger** commented on Z-06-18 he stated that it receive a 10 – 1 favorable recommendation from the Plan Commission. He also stated that that the Plan Commission finally has 11 members.

**Mr. Seabrook** asked if they Plan Department had any problems with the vacation.

**Mr. Rosenbarger** stated that the Planning Department had no problems with this vacation.

**Chief Harl** gave a statement to the council regarding the Police Departments need for new cars. Said statement is on file with the City Clerk's officer. He also spoke in favor of the dispatchers getting a raise.

**Mr. Coffey** asked what it would hurt if we waited another two weeks until after the budget hearings.

#### **COMMUNICATIONS – MAYOR:**

**Mayor Garner** spoke on his negotiations with the unions and he reminded them that in early June he asked them to set up a committee to work with him on these negotiations. He went on to explain about a Truck that was bought by EMC for \$102,000 that was brought up in Ms. Bolovshak's statement and he went on to explain other issues that were mentioned as well as the progress of the sewers.

**Mr. Coffey** stated that the \$85 M was a combination of all the money spent over the years. He went on to discuss other issues that were brought up by Ms. Bolovshak and that he would like to have answers to the issues she brought up.

**APPOINTMENTS:**

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS:**

R-06-21      Resolution to Purchase Needed Equipment for Sanitation      Blevins  
Department

**Mr. Blevins tabled this item until after budget talks.**

R-06-22      Resolution to Purchase Needed Equipment for Police      Coffey  
Department

**Mr. Coffey tabled this item until after budget talks.**

R-06-23      Resolution to Use Proceeds From E.D.I.T      Blevins  
Settlement to be Received in 2006 for Motor Vehicle  
Highway Funds Expenses in 2007 Budget Year

**There was a lengthy discussion regarding the \$3.3M Jail Bond money and whether or not it can be spent without council approval. The need of the different departments for this money was also discussed, especially the need of the Street Department.**

**Mr. Blevins** moved for the reading of R-06-31, no one second, the motion died for a lack of a second.

**There was a lengthy discussion as to whether or not this inaction made it impossible for Mr. Blevins to bring this issue up again and whether or not they should go ahead and second his motion and vote in abstention or vote it down.**

**Mr. Gahan called for a recess at 9:03 p.m.**

**Mr. Gahan called the meeting back to order at 9:09 p.m.**

**Mr. Gahan** stated for the record Mr. Blevins introduced R-06-23 but it failed due to the lack of a second.

R-06-24      Resolution to Dedicate Additional EDIT Funds to      Kochert  
Sewer Utility for Five Years.

**Mr. Kochert tabled this item until after the council had a chance to hear the Umbaugh presentation.**

Z-06-18      Ordinance Amending the Code of Ordinances of      Crump 1  
New Albany, IN Title XV, Chapter 156, (Docket  
P-11-06: Sprigler Development Co., Inc.)

**Mrs. Crump moved for the first reading of Z-06-18, Mr. Seabrook second,**

**There was a lengthy discussion regarding the developments that have been brought before this council in the area and whether or not Dr. Nassim's second building would mirror the first.**

**Mr. Schmidt** presented a picture of the ball field behind Dr. Nassim's office.

**Mr. Kraft** asked that Mr. Schmidt remove himself from the vote and discussion on this issue because he spoke out against the project at a public Plan Commission meeting.

**Paul Primavera** addressed the water concerns and discussed the storm water plan that they have set up and stated that their plan shows that whether or not Dr. Nassim’s office was there it would flood in this area.

**There was a lengthy discussion regarding the flooding situation in this area and other areas where GRW studies have been done.**

**The motion passed with Mrs. Crump, Mr. Blevins, Mr. Messer, Mr. Seabrook and Mr. Gahan voting aye; and Mr. Coffey, Mr. Schmidt, Mr. Price and Mr. Kochert voting nay.**

Z-06-17	An Ordinance for the Vacation of a Public Way Pursuant to a Petition filed by New Albany- Floyd County School Corporation	Blevins 2&3
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**Mr. Blevins moved for the second and third readings of Z-06-17, Mr. Coffey second, all voted in favor. Bill Z-06-17 became ordinance Z-06-25.**

**Mr. Gahan** announced that the budget meetings are scheduled for July 26 and 27 and Umbaugh would be making a presentation on the sewer situation after the meeting on July 26.

**Mr. Coffey** asked that the ordinance for the full time city attorney be tabled for third reading.

There being no further business before the board, the meeting adjourned at 9:28 p.m.

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Jeff Gahan, President  
Common Council, City of New Albany

ATTEST:\_\_\_\_\_  
Marcey J. Wisman, City Clerk